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this Memorandum Decision shall not be
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any court except for the purpose of
establishing the defense of res judicata,
collateral estoppel, or the law of the case.

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**IN THE
COURT OF APPEALS OF INDIANA**

KEITH B. WIGFALL,)	
)	
Appellant-Defendant,)	
)	
vs.)	No. 71A03-0610-PC-501
)	
STATE OF INDIANA,)	
)	
Appellee-Plaintiff.)	

APPEAL FROM THE ST. JOSEPH SUPERIOR COURT
The Honorable William H. Albright, Judge
Cause No. 71D05-8812-CF-681

June 15, 2007

MEMORANDUM DECISION - NOT FOR PUBLICATION

BAILEY, Judge

Case Summary

Appellant-Defendant Keith B. Wigfall (“Wigfall”) appeals the summary denial of his petition for writ of error *coram nobis*.¹ We dismiss.

Issue

Wigfall raises two issues, which we consolidate as whether the trial court erred in denying his petition for writ of error *coram nobis*.

Facts and Procedural History

On December 7, 1988, Wigfall was charged with Burglary, as a Class B felony. After the commencement of a jury trial on October 3, 1989, Wigfall changed his plea to guilty pursuant to a plea agreement. Wigfall was sentenced to sixteen years with fifteen years suspended to probation.

On September 10, 1992, Wigfall, pro se, filed a motion to compel a hearing that was treated as a petition for post-conviction relief. The hearing was held on October 30, 1992. After taking the evidence under advisement, the trial court denied Wigfall’s petition.

On May 22, 1998, the State filed a petition to revoke Wigfall’s probation. On June 17, 2004, Wigfall was discharged from probation as unsatisfactory. On August 7, 2006, Wigfall filed a motion to vacate conviction that was summarily denied soon thereafter without a hearing. Wigfall now appeals.

Discussion and Decision

On appeal, Wigfall contends that his motion to vacate conviction, which he refers to as a petition for writ of error *coram nobis*, was improperly denied without a hearing. Post-Conviction Rule 1 supercedes all former procedures for obtaining post-conviction relief, including the writ of error *coram nobis*. Bell v. State, 473 N.E.2d 635, 636 (Ind. Ct. App. 1985). As such, we treat Wigfall's motion as a petition for post-conviction relief. This would be Wigfall's second request for post-conviction relief, as a hearing was conducted on his first petition for post-conviction relief on October 10, 1992, and his petition was denied.

To file a second, or successive petition for post-conviction relief, Post-Conviction Rule 1(12) requires that the petitioner must first obtain authorization from the Indiana Court of Appeals or Supreme Court. Wigfall did not file a request for the requisite authorization. Thus, the trial court lacked jurisdiction to consider Wigfall's motion.

Dismissed.

SHARPNACK, J., and MAY, J., concur.

¹ A writ of error directed to a court for review of its own judgment and predicated on alleged errors of fact. Black's Law Dictionary 338 (7th ed. 2001).